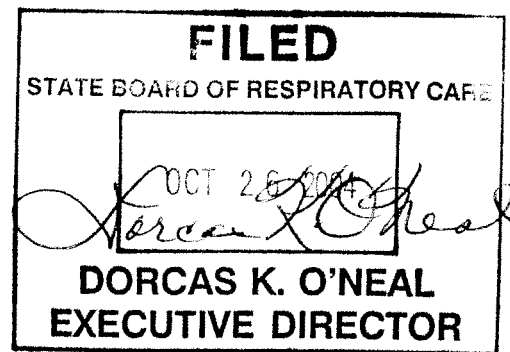


PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

By: Michelle T. Weiner
Deputy Attorney General
(973) 648-3696



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF THE	:	Administrative Action
LICENSE OF:	:	
	:	CONSENT ORDER
CAREY BYRON WILSON	:	
	:	
TO PRACTICE RESPIRATORY CARE	:	
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey State Board of Respiratory Care ("the Board") upon the application of respondent Carey Byron Wilson for a temporary license to practice respiratory care in the State of New Jersey. In connection with that application, the Board received information that, on or about May 23, 1996, respondent had been convicted for possession and distribution of marijuana, inter alia, and that, on or about October 14, 2003, respondent again was convicted, inter alia, for possession of a Controlled Dangerous Substance which occurred on April 22, 1998, and was sentenced to probation.

At a hearing regarding his license application held before the Board, respondent testified acknowledging his convictions, taking responsibility for his wrongful acts, and stating his desire to

practice respiratory care in New Jersey. Respondent's probation officer submitted correspondence to the Board indicating that respondent exhibits good behavior and will be recommended for early discharge. Respondent's program director from the UMDNJ Respiratory Therapy Program endorsed his ability to practice respiratory therapy.

The Board having considered the aforesaid information, and the parties being desirous of resolving this matter without the necessity of further formal proceedings, respondent having waived any right to further proceedings in this matter, and the Board finding that the within Order is adequately protective of the public health, safety and welfare, and that good cause exists for its entry;

IT IS ON THIS *26* DAY OF *October* 2004,

ORDERED that respondent is hereby reprimanded for the conduct underlying the criminal convictions outlined above, and it is further

ORDERED that a temporary license to practice respiratory care in the State of New Jersey shall be issued to respondent, provided he complies with all provisions of this Order. Such temporary permit shall expire six (6) months from its issuance or upon notification of failure of the Certified Respiratory Therapy Technician ("CRTT") examination, whichever occurs earlier. In the event of failure of the examination, respondent may apply for one renewal of the permit, which will expire in the same manner as the initial permit, and it is further

ORDERED that respondent shall apply for and take the CRTT examination given by the NBRC prior to the expiration of his first temporary permit and, in the event he is issued a second temporary permit, shall take the examination prior to the expiration of the second permit, and it is further

ORDERED that, in view of the fact that respondent has undergone a substance abuse evaluation and that he regularly participates in monthly face-to-face meetings with his probation officer from the Superior Court of New Jersey, Essex Vicinage Probation Services, no further evaluation or therapy is required at this time; and it is further

ORDERED that respondent's temporary license shall be on probation, running concurrent with his criminal sentence, conditioned upon his strict compliance with the probationary terms, until such time as respondent's criminal probation is terminated. Respondent shall notify the Board when the term of the criminal probation is terminated, and respondent shall appear before the Board, if so requested by the Board; and it is further

ORDERED that, in the event respondent qualifies for and is granted a permanent license, any such license shall be on probation and conditioned upon his strict compliance with the probationary terms, until such time as respondent's criminal probation is terminated. Respondent shall notify the Board when the term of the criminal probation is terminated, and respondent shall appear before the Board, if so requested by the Board; and it is further

ORDERED that, during the period of probation and continuing thereafter, respondent shall obey all of the laws of the United States, the State of New Jersey, and their political subdivisions as well as all regulations, rules or laws governing the practice of respiratory care in this State, including that he shall notify the Board in writing of any change of address within ten (10) days of such change; and it is further

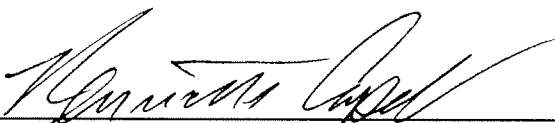
ORDERED that respondent's failure to comply with any provision of this Order and/or deviation from any of the terms of this Order without the prior written consent of the Board, shall constitute a violation of probation. Upon receipt of information that respondent has failed to comply with or has deviated from any of the terms of this Order, without the prior written consent of the Board, respondent's temporary license shall be automatically suspended without further hearing, and the Board may institute such further proceedings as are appropriate. In such event, respondent shall have the right to apply for removal of the automatic suspension, on notice, but in such event shall be limited to a showing that he has fully complied with the provisions of this Order.

By his signature on this Order, respondent expressly waives any claim to privilege or confidentiality that he may have concerning reports and disclosures from individuals at respondent's

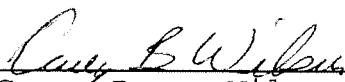
place(s) of employment to the Board, and he consents to the disclosure of that information and to the use of that information by the Board.

This Order is effective upon its filing with the Board of Respiratory Care.

NEW JERSEY BOARD OF RESPIRATORY CARE

By: 
Kenneth Capek, President

I have read and I understand
the within Order and agree
to be bound by the terms herein.
Consent is hereby given for the
Board to enter this Order.


Carey Byron Wilson

Dated: 10/01/04